

# Morris James LLP

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April 16, 2007

The Honorable Gregory M. Sleet  
United States District Court  
844 North King Street  
Lock Box 19  
Wilmington, DE 19801

Re: Snyder v. GPM2, LLC  
C.A. No. 07-00066 GMS

Dear Judge Sleet:

I represent two defendants in the above matter, Christy Management, LLC and The Felton Bank, each of which filed a motion to dismiss for, among other things, lack of subject matter jurisdiction (the "Motions"). The Opening Brief in support of the Motions was filed on March 29, 2007.

In today's mail, I received the plaintiff's "Opposition to Motion(s) to Dismiss, Amended Complaint, Request for Hearing" (the "Response"), a copy of which is attached hereto as Exhibit A. The Response does not address any of the arguments raised in the Opening Brief filed in support of the Motions. Nor does it correct the deficiencies found in the original complaint. Accordingly, the defendants waive the filing of a Reply Brief.

With briefing now complete, we would respectfully request that Your Honor schedule this matter for oral argument at the Court's earliest convenience, to the extent that oral argument is even warranted. Although plaintiff has requested a hearing on the Motions, he asserts no legal basis for opposing the Motions. As the Court's records reflect, this plaintiff has a history of filing frivolous suits.

Plaintiff's current suit is creating a cloud on the title to the property now owned by Christy Management, LLC. With a sale of that property now pending, my client has a sense of urgency in resolving this matter.

Should Your Honor have any questions, I am available at the convenience of the Court.

Respectfully,



John H. Newcomer, Jr.

JHN/jn

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Morris James<sub>LLP</sub>

cc: BY E-FILING  
Clerk of the Court

BY FIRST CLASS MAIL  
Richard Snyder  
James P. Connor, Jr.  
Bonnie Benson  
Sergovic & Ellis, PA  
Christy Management, LLC

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**Richard Snyder**

**\* CA-07-00066 GMS**

**Plaintiff**

**\***

**v.**

**GPM2 et al.**

**Defendants**

**\***

**OPPOSITION TO MOTION(S) TO DISMISS  
AMENDED COMPLAINT  
REQUEST FOR HEARING**

- 1. This complaint involves a frustrated contract to purchase real property.**
- 2. The seller (GPM2) agreed to certain terms and conditions which were breached by it.**
- 3. Seller subsequently sold the property to its' tenant (now doing business as Christy Management, a defendant). The lender (also a defendant), Felton Bank as well as the other defendants were at all times aware of plaintiff's equitable interest in the property.**
- 4. A title search by the "unknown title company" (also a defendant) failed to note the filing of a copy of the contract in the real property records of Sussex County, Delaware. This title company is now identified as First American Title and is represented by counsel also representing Christy Management and Felton Bank: J. Newcomer, Jr.**
- 5. Buyer had always been ready, willing, and able to purchase the property, including at the present time, and at the contract price today.**

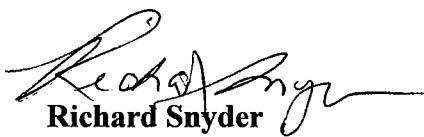
(2)

**6. Plaintiff seeks damages to be determined at trial or in the alternative, specific performance.**

**7. Plaintiff has lost the benefit of the bargain, as well as significant tax consequences of which the sellers were aware at the time of the agreement.**

**8. In amending the complaint, plaintiff desires to change the name of "unknown title company" to that of First American Title Company and to delete the name of Sergiovic & Ellis as defendant(s).**

**9. Plaintiff requests a trial on the merits. As well as a hearing on the Motion to Dismiss.**



Richard Snyder  
P.O. Box 374  
Davidsonville, MD 21035      mail address

**Certification of Service**

**Copies of this pleading have been sent by first-class postage to GPM2, 7443 Lee Davis Highway #301, Mechanicsville, VA 23111**

**Christy Management LLC, First American Title, and Felton Bank c/o John Newcomer, Jr. 500 Delaware Ave #1500, Wilmington, DE 19801**

**James P Connor, Jr. at his address of record filed with the Sussex County Land records with respect to this transaction: 18977 Munchy Branch Rd. Rehoboth, DE 19971**

**Bonnie Benson, Pa 34385-B Carpenter's Way, Lewes, DE 19958**

**Seriovic & Ellis, PA 9 N. Front St., Georgetown, DE 19947**

